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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,388	03/19/2001	Mehmet Kemal Ozkan	RCA-88914	5277
7590	03/22/2006			
Joseph S Tripoli Thomson Multimedia Licensing Inc PO Box 5312 Princeton, NJ 08540			EXAMINER TRAN, HAI V	
			ART UNIT 2623	PAPER NUMBER

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/622,388	OZKAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Hai Tran	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/11/2006 has been entered.

### ***Response to Arguments***

Applicant's arguments, filed 01/11/2006, with respect to the rejection(s) of claim(s) 1-6, 11-16, 18-23 and 27-32 under 35 USC § 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Boyer et al. (US 2004/0128686A1).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-32 rejected under 35 U.S.C. 103(a) as being unpatentable over Eyer et al. (US 6160545) in view of Boyer et al. (US 2004/1028686).

Claims 1 and 15, Eyer discloses an apparatus for decoding packetized program information from a 1<sup>st</sup> source to provide a program guide (Fig. 1, 3) comprising:

A processor 170 for acquiring ancillary and program guide information in the packetized program information (Col. 8, lines 35-52), the ancillary information including.

Channel mapping information enabling a user of the decoding apparatus to select between different groups of broadcast services collated by area (Fig. 4; Col. 8, lines 64-Col. 9, lines 20), and

Data for collating program guide information associated with the broadcast services by scheduled time of broadcast (Col. 4, lines 25-31), and

A data collector (350, 348,180) for collating the program guide information associated with the broadcast services using the ancillary information (Col. 9, lines 45-56); and

A display processor 190 for processing the collated program guide information for display (Col. 9, lines 54-56).

Eyer does not disclose that user able to select between different groups of broadcast services collated by non-inclusive areas to reduce data filtering by the decoding apparatus.

Boyer discloses an channel mapping information in which user is able to select between different groups of broadcast services collated by non-inclusive areas to reduce data filtering by the decoding apparatus (for example: by going local, the user input a zip-code, the system receives only EPG from that zip-code; see Fig. 4; Col. 5, §0078). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eyer to provide to user an option to select different group of broadcast, as taught by Boyer, so to provide to user an enhance way to access on-line television program listing through Internet with number of choices regarding the type of on-line information that is available, as suggested by Boyer (Col 5, § 0077).

Claim 2, Eyer in view of Boyer further discloses wherein the area comprises at least one of a geographic area, an area served by a satellite, terrestrial, or a cable broadcaster and a market area of a service provider (Eyer, Col. 9, lines 10-44, Boyer Fig. 1).

Claim 3, Eyer in view of Boyer further discloses wherein the channel mapping information comprises at least one of a channel information map associating particular broadcast channels with particular areas, and a service information map associating particular services with particular areas (Col. 4, lines 51-Col. 5, lines 8 and Col. 9, lines 2-20 and Boyer Fig. 1).

Claim 4, Eyer in view of Boyer further discloses wherein the services comprise at least two of video channels, audio channels, internet service, phone or fax service, WAN service (Fig. 1, 2; Col. 5, lines 45-Col. 6, lines 17 and Boyer Fig. 1).

Claim 5, Eyer in view of Boyer further discloses wherein the channel mapping information associates particular broadcast channels with a region identification designation (Fig. 4; Col. 9, lines 1-35 and Boyer Fig. 1).

Claim 6, Eyer in view of Boyer further discloses wherein the region identification designation comprises at least one of a zip code, a telephone area code, and another region code, (Col. 21, lines 18-31 and Boyer Fig. 1) and

The data collator collates program guide information by comparing the region identification designation with a pre-stored region identification designation of the apparatus (Col. 21, lines 24-31 and Col. 9, lines 44-62 and Boyer Fig. 1, Col.5, § 0078);

Claims 7 and 17, Boyer further discloses the use of various Database supported by data server 14 for television programming information (§0051-0053) containing descriptive information about related services, as ancillary information, includes objects (i.e., icons/objects and other means to indicate the availability of additional information) associated with program broadcast (i.e., TV program) on particular channels(see Fig. 1, 15-22).

Claim 8, Boyer further discloses wherein the data for collating the tables and objects includes region identification designations for associating objects with regions that are different to table regions, and the data collator collates the objects into regions different to regions of the tables (see fig. 1; Col. 5, § 0078).

Claim 9, Eyer's IPG inherently meets the claimed limitation "wherein said object comprises at least one of a video segment, an audio segment, text, an icon representing a user selectable item for display, an HTML or SGML document, a menu of selectable items, an image windows for presenting within an encompassing image, and an image for initiating a multimedia function" because Eyer's IPG is an Interactive program guide in which at least meets "a menu of selectable items". Moreover, Boyer further discloses that EPG is an Internet television programming guide (see Fig. 1).

Claim 10, Boyer further discloses "wherein ancillary information includes acquisition information for use in acquiring said ancillary information from a second source different to said first source, and said acquisition information includes one of an Internet URL, an Internet IP address, an Email address, and a telephone/fax/videophone number" See § 0054-0058; §0079.

Claim 11, Eyer further discloses wherein the channel mapping information is formed in accordance with MPEG protocol (Col. 8, lines 14-18; Col. 11, lines 34-41

and Boyer §0128) and uses at least one data fields selected from a table\_id\_extension fields, a carrousselid field, and a user defined private data fields (see table 2; Col. 12 with "table\_ID").

Claim 12, Eyer (Col. 21, lines 13-38) in view of Boyer (Fig. 1, §0078; 0090-0092) further discloses wherein the data collator collates the program guide information in response to a user selection input to provide a program guide selected from at least two available program guides associated with different areas.

Claim 13, Eyer (Col. 10, lines 8-65+; Fig. 4).in view of Boyer (§0051, §0065) further discloses wherein the ancillary information is partitioned by area at the transport protocol level enabling filtering of the ancillary information by area prior to post-transport processing.

Claim 14, Eyer (Col. 10, lines 8-65+ and Col. 18, lines 28-Col. 21, lines 7 and Fig.4) in view of Boyer (§0051, §0065 and §0078) further discloses wherein the ancillary information is partitioned by area enabling different ancillary information elements to targeted for decoding in corresponding different areas (Col. 10, lines 8-65+ and Col. 18, lines 28-Col. 21, lines 7 and Fig.4).



Claim 16, as analyzed with respect to claim 1, Eyer (Fig. 3, el. 350; Col. 9, lines 35-Col. 10, lines 6) in view of Boyer (Fig. 3, el. 84,98, 98) further discloses a storage medium that stores all the limitation claimed.

Claim 18, method claim 18 is analyzed with respect to apparatus claim 1, in which Eyer (see Fig. 2) further discloses "forming linking information associating programs with said broadcast services; and incorporating said ancillary information and said linking information into packetized data for output to a transmission channel

Claim 19, method claim 19 is analyzed with respect to apparatus claim 2.

Claim 20, method claim 20 is analyzed with respect to apparatus claim 3.

Claim 21, method claim 21 is analyzed with respect to apparatus claim 5.

Claim 22, method claim 22 is analyzed with respect to apparatus claim 6.

Claim 23, method claim 23 is analyzed with respect to apparatus claim 1.

Claim 27, method claim 27 is analyzed with respect to apparatus claim 14.

Claim 28. Eyer further discloses wherein the particular decoder is associated with the particular area using a unique decoder identification code (Col. 21, lines 20-31).

Claim 29, Eyer (Col. 21, lines 30-39) in view of Boyer further discloses "dynamically updating said information associating a particular area with at least one particular decoder to associate a different area with said particular decoder".

Claim 30, method claim 30 is analyzed with respect to apparatus claim 11.

Claims 31 and 32, method claims 31 and 32 are analyzed with respect to apparatus claim 1.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (571) 272-7305. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVT:HT  
03/16/2006



HAITRAN  
PRIMARY EXAMINER